

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

MITCHELL WHITE

:
:
:
:
:
:

CRIMINAL NO. 18-101-06

ORDER

AND NOW, this ____ day of _____, 2023, it is hereby **ORDERED** that Defendant Mitchell White's Motion for Extension of Time to File Post-Trial Motions is **GRANTED**. It is **ORDERED** that Post-Trial Motions are due April 10, 2023. Any response is due _____.

BY THE COURT:

HON. GENE E.K. PRATTER
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

MITCHELL WHITE

:
:
:
:
:
:

CRIMINAL NO. 18-101-06

**DEFENDANT MITCHELL WHITE'S UNOPPOSED MOTION
FOR AN EXTENSION OF TIME TO FILE POST-TRIAL MOTIONS**

Defendant Mitchell White, by undersigned counsel, respectfully moves this Honorable Court for a 30-day extension of time to file post-trial motions, to April 10, 2023. The government has no objection to this motion. In support of his request, defendant states as follows:

1. Defendant was charged by Superseding Indictment on January 9, 2019. (Dkt. 14) He was charged in Counts 1, 2, 3 and 5 of the Superseding Indictment.
2. After numerous continuances for various reasons, trial on these charges began January 9, 2023.
3. On January 24, 2023, the jury returned a verdict of not guilty on Counts 1, 2, and 3. The jury did not reach a decision on Count 5, and the Court declared a mistrial as to Count 5. (See Dkts. 573 and 574).
4. At the conclusion of the trial, counsel for defendant requested additional time to file any post-trial motions as to Count 5.
5. On February 3, 2023, the Court granted counsel's request and set a due date of March 10, 2023 for any post-trial motions, with any response due March 24, 2023. (Dkt. 582)

6. Since the time of trial, defense counsel has engaged in discussion with the government as to the government's intentions with respect to Count 5. The government advises that it needs additional time to determine whether it intends to proceed with a retrial of Count 5.
7. Additional time for the filing of post-trial motions is in the interests of justice, to avoid the preparation and filing of potentially unnecessary motions.¹
8. Assistant United States Attorney Mary Kay Costello advised undersigned counsel that the government has no objection to this motion.

Respectfully submitted,



ANN C. FLANNERY
Law Offices of Ann C. Flannery, LLC
1835 Market Street, Suite 2900
Philadelphia, PA 19103
215.636.9002
acf@annflannerylaw.com

Attorney for Defendant Mitchell White

February 28, 2023

¹ Additionally, even if post-trial motions are necessary, defense counsel does not yet have the trial transcripts necessary to evaluate and prepare post-trial motions on Count 5. Counsel requested pertinent transcripts through the CJA process on January 26, 2023. Approval was not entered into the CJA system until February 24, 2023. Transcripts will likely not be received until mid-March. Undersigned counsel will be out of the country on vacation from March 27 – 31, 2023.

CERTIFICATE OF SERVICE

I, Ann C. Flannery, counsel for defendant Mitchell White, hereby certify that on this 28th day of February, 2023, I caused a true and correct copy of the foregoing Defendant Mitchell White's Motion for an Extension of Time to File Post-Trial Motions to be served via email upon counsel of record, including:

Christopher Parisi
U.S. Attorney's Office
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106
Christopher.Parisi@usdoj.gov

Mary Kay Costello
U.S. Attorney's Office
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106
Marykay.Costello@usdoj.gov

A handwritten signature in black ink, reading "Ann C. Flannery". The signature is written in a cursive, flowing style. The first name "Ann" is written with a large, looped 'A'. The middle initial "C." is written with a small 'C' followed by a period. The last name "Flannery" is written with a large, looped 'F' and a long, sweeping tail that extends to the right.

ANN C. FLANNERY
Law Offices of Ann C. Flannery, LLC
1835 Market Street, Suite 2900
Philadelphia, PA 19103
215.636.9002
acf@annflannerylaw.com